

SUPPLEMENTAL DECLARATION

We, as the below-named inventors, hereby declare that our residences, post office addresses, and citizenships are as stated below adjacent our names, that we verily believe we are the original, first and joint inventors of the invention described and claimed in Letters Patent No. 5,235,581, issued August 10, 1993, and in the specification filed August 5, 1991, and for which invention we solicit a reissue patent; that we have reviewed and understand the contents of the specification attached hereto, including the claims; that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this Reissue Application No. 09/460,221 in accordance with Title 37, Code of Federal Regulations, §1.56(a); and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States prior to filing of Application Serial No. 740,629 filed August 5, 1991 (from which Patent 5,235,581 issued) by us or our legal representatives or assigns, except as follows:

Japanese Patent Application Nos. 02-212537

filed August 9, 1990, 02-285006 filed

October 22, 1990, and 03-044798 filed

March 11, 1991.

The priority of Japanese application nos. 02-212537, 02-285006 and 03-044798 was claimed in said U.S. application and is also hereby claimed in this Reissue Application and certified copies are available in the patent file.

We further declare that we believe said Letters Patent is, through errors which arose without deceptive intent on the part of the applicants, wholly or partially inoperative by reason of a defective specification or drawing, and by reason of the patentee claiming both more and less than we had a right to claim in the patent.

At least one error relied upon as a basis for this reissue application is described below. Because this is a broadening reissue, at least one error is stated with an explanation as to the nature of the broadening. Present independent claim 26 is broader than the original patent claims because it omits recitation of at least the element of an "optical head moving means" recited in each of the independent claims of the original patent. Also, an error existed in the original patent because each of the original patent claims fails to recite particular descriptive features of present claim 26 that, when

the first layer of a first disc of the N optical discs has a thickness (d1) smaller than a thickness (d2) of the first layer of a second disc of the N optical discs, the converging means converges the light spot on the second layer of the first disc with a diameter (D1) smaller than a diameter (D2) of the light spot converged by the converging means on the second layer of the second disc.

Every error in the patent which was corrected in the present reissue application, and is not covered by the prior declaration submitted in this application, arose without any deceptive intention on the part of the applicant.

We hereby appoint the following as our attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office.

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We, as the undersigned inventors, further declare that all statements made herein of our own knowledge are true and that

all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the reissue application or of any reissue patent to issue thereon.

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